

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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RUBEN ORTEGA JUAREZ, individually and
on behalf of others similarly situated,

Plaintiff,

23cv **CIVIL** 6978(JLR)(SDA)

-against-

DEFAULT JUDGMENT

MI MEXICO MINI MARKET & GROCERY
INC. et al.,

Defendants.

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It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Memorandum Opinion and Order dated January 26, 2024, the Report's reasoning is sound, grounded in fact and law, and not clearly erroneous. The Court ADOPTS the thorough and well-reasoned Report in its entirety. Default judgment is entered in favor of Plaintiff and against Defendants in the total amount of \$217,249.50 (consisting of \$108,624.75 in minimum and overtime wages and \$108,624.75 in liquidated damages). Plaintiff is awarded \$2,543.00 in attorney's fees and costs. Plaintiff is also awarded pre-judgment interest at the New York statutory rate of 9% per year on the sum of \$108,624.75, calculated from July 8, 2020 until the date of entry of judgment, amounting to \$34,739.089 in interest. Finally, if any amounts remain unpaid upon the expiration of ninety days following issuance of judgment, or ninety days after expiration of the time to appeal and no appeal is then pending, whichever is later, the total amount of judgment shall automatically increase by fifteen percent, per Section 198(4) of the New York Labor Law. In light of the clear notice provided in the Report, the lack of any timely

objections precludes appellate review of this decision. See Frank, 968 F.2d at 300. Accordingly, the case is closed.

Dated: New York, New York

January 26, 2024

RUBY J. KRAJICK
Clerk of Court

BY:

A handwritten signature in black ink, consisting of a series of loops and flourishes, positioned above a horizontal line.

Deputy Clerk